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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,705	08/08/2006	Markus Weinlander	2003P18371WOUS	2427
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EXAMINER STITT, ERIK V				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/588,705

Applicant(s)

WEINLANDER, MARKUS

Examiner

Erik V. Stitt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on September 24, 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-16, 20, 21, 23, 24, 26-28 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-16, 20, 21, 23, 24, 26-28 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Proficiency's Patent Drawing Review (PTO-544)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAIL ACTION

1. This communication is responsive to the Amendment, filed September 24, 2009
2. Claims 13-16, 20-21, 23-24, 26-28, 30 are pending in this application. Claims 1, 7, 12, 17 are independent claims. In the instant RCE, claims 13-16, 20-21 were amended. This action is made Non-Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 13-14, 16, 20-21, 23-24, 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell et al. ("Russell", US 7, 076, 784) in view of Cordes et al. ("Cordes", US 6, 484, 190).

Claim 13:

Russell discloses a first selection means for displaying via the display mechanism a content of a folder (*figure 15 shows how the contents of the "Component folder" are displayed on an interface*), wherein the folder content comprises at least one component (*figure 15 shows how the components (e.g., Bank.Account, Bank.Account.VC) are*

contained with the 'Components folder') comprising a plurality, of objects logically subordinate relative to said at least one component (figure 22 shows how the components have object interfaces (e.g., _Account), thus the objects are logically subordinate based on the object interfaces appearing within a particular component)

Russel does not disclose graphically identifying said at least one logically co-equal object by a corresponding icon positioned adjacent to said at least one component along a common row on the display mechanism. However, Cordes is analogous art that also discloses using a hierarchical tree to display hierarchically orientated information [abstract]. It would have been obvious to an artisan at the time of the invention to combine Russel with Cordes, because Cordes discloses that icons can be positioned adjacent to nodes in the tree [figure 3b], so that a user can launch another application that relates directly to the selected node [figure 3b], and the icons can correspond to each other to indicate that the parent icon (the half moon of figure 3b) corresponds to the half moon of the child node.

Russell discloses that the plurality of logically subordinate objects is graphically identified on the display mechanism by a plurality of corresponding icons positioned beneath said at least one component (*figure 21 shows how the _Account object interface has an icon positioned beneath the 'Components folder'*)

The modified Russel discloses at least one of the logically subordinate objects assigned an object property, the at least one logically co-equal object assigned a property (*Cordes shows how each node is assigned a name property [figure 3b]*)

The modified Russel discloses a first processing application in the computing device, the first processing application configured to process the property assigned to the logically co-equal object (*the user can select the icon in the tree to launch an application [Cordes] that is beneath the Russel component node, e.g. (the half moon icon that corresponds to the parent can be selected).*

The modified Russel discloses a second processing application in the computing device, the second processing application configured to process the object property assigned to said at least one of the logically subordinate objects, wherein a second selection means for launching the second processing application to process the object property assigned to said at least one of the logically subordinate objects; the second selection means is located in a corresponding icon positioned beneath said at least one component (*Cordes shows in figure 3b how the second application icon can be on the component node, or on another node beneath the component node*)

The modified Russel discloses co-equal objects (*figure 21 in Russel shows how a user can select a particular object interface to perform edit operations on it (e.g., set a co-equal role)*)

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The modified Russel discloses a third selection means for launching the first processing application to process the property assigned to the logically co-equal object, wherein the third selection means is located in the icon positioned adjacent to said at least one component along the common row; *(Cordes shows in figure 3b how a launching means can be on the same row as the component)*

The modified Russel discloses that the location of the plurality of icons corresponding to the logically subordinate objects, the location of the icon corresponding to said at least one logically co-equal object, and the respective locations of the second and the third selection means in combination result informing a graphical arrangement on the display mechanism consistent with the logical arrangement of the logically structured data *(both Russel and Cordes shows logically structured arrangement of hierarchically presented data)*

Claim 16:

The modified Russel discloses that structured data is structured in the form of a tree structure *(figure 3 in Russel shows a hierarchical tree)*

Claim 20 is similar in scope to claim 15, and is therefore rejected under similar rationale.

Claim 21:

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The modified Russell discloses a textual information for the first application, wherein the textual information is located proximate to the icon corresponding to said at least one logically co-equal object positioned adjacent to said at least one component along the common row on the display mechanism (*Russel shows how the name textual label of the component is adjacent to the component [figure 3]*)

The modified Russell discloses a selection mechanism; and a textual information for the first application, wherein the textual information is displayed when the selection mechanism is in a proximity of the first link (*Russel shows how the name textual label of the component is adjacent to the component [figure 3]*)

Claim 23

Ruusel discloses clicking on a first selecting means to display via the display mechanism a content of a folder, wherein the folder content comprises at least one component comprising a plurality of objects logically subordinate relative to said at least one component, wherein the at least one component further comprises at least one logically co-equal object relative to said at least one component (*Russel shows a hierarchical tree with parent/subordinate nodes, user can select a component, and see the subordinate objects related to that component [figure 3]*).

Russel discloses graphically identifying the plurality, of logically subordinate objects on the display mechanism by corresponding icons positioned beneath said at least one component; *(Russel shows a hierarchical tree with parent/subordinate nodes [figure 3])*

Russel does not discloses graphically identifying said at least one logically co-equal object by a corresponding icon positioned adjacent to said at least one component along a common row on the display mechanism. However, Cordes is analogous art that also discloses using a hierarchical tree to display hierarchically orientated information [abstract]. It would have been obvious to an artisan at the time of the invention to combine Russel with Cordes, because Cordes discloses that icons can be positioned adjacent to nodes in the tree [figure 3b], so that a user can launch another application that relates directly to the selected node [figure 3b], and the icons can correspond to each other to indicate that the parent icon (the half moon of figure 3b) corresponds to the half moon of the child node.

The modified Russel discloses assigning an object property, to at least one of the logically subordinate objects; assigning a property to said at least one logically co-equal object; *(Russel shows how objects are assigned roles (i.e., permissions))* providing a first processing application to process the property assigned to said at least one logically co-equal object *(Both Russel and Cordes disclose assigning a name property to each node in the tree)* providing a second processing application to process the object property assigned to said at least one of the logically subordinate objects *(Cordes discloses how*

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the name of the node is used to find all sub-information classified under that name (e.g., North Carolina is sub-related to the United States [figure 3])

The modified Russel discloses launching the second processing application to process the object property assigned to said at least one of the logically subordinate objects by clicking on a second selection means located in a corresponding icon positioned beneath said at least one component *(the user can select the icon in the tree to launch an application [Cordes] that is beneath the Russel component node)*

The modified Russel discloses launching the first processing application to process the property assigned to said at least one logically co-equal object by clicking on a third selection means located in the corresponding icon positioned adjacent to said at least one component; *(the user can select the icon in the tree on the parent (component level to launch the application [Cordes figure 3b])* whereby the location of the plurality of icons corresponding to the logically subordinate objects, the location of the icon corresponding to said at least one logically co-equal object, and the respective locations of the second and the third selection means in combination result in forming a graphical arrangement on the display mechanism consistent with the logical arrangement of the logically structured data *(both Russel and Cordes shows logically structured arrangement of hierarchically presented data)*

Claim 24 is similar in scope to claim 16, and is therefore rejected under similar rationale.

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Claim 27-28 are similar in scope to claims 21-22, and are therefore rejected under similar rationale.

6. Claims 14, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell et al. ("Russell", US 7, 076, 784) in view of Cordes et al. ("Cordes", US 6, 484, 190) in further view of Yeung et al. ("Yeung", 7, 171, 468).

Claim 14:

The modified Russel discloses that each tree node has a name property [Cordes figure 3b]. The modified Russel does not explicitly disclose that the folder and its name property are copyable. However, Yeung is analogous art that also describes using the Windows Explorer to access hierarchical content [figure 18]. It would have been obvious to an artisan at the time of the invention to combine the modified Russel with Yeung, because Yeung discloses that the Windows Explorer allows a user to select and copy a folder [Col 4 57-58] so that a user can paste the item to an alternate location using the cut-and-paste tools [figure 60]. Thus, the property is copiable.

Claim 26 is similar in scope to claim 14, and is therefore rejected under similar rationale.

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7. Claims 15, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell et al. ("Russell", US 7, 076, 784) in view of Cordes et al. ("Cordes", US 6, 484, 190) in further view of Gilkas et al. ("Gilkas", 7, 017, 121).

Claim 15:

The modified Russel discloses using the Windows Explorer [Cordes figure 3b]. The modified Russel does not explicitly disclose that the element component is generated during the configuration of an industrial automation system. However, Windows is a widely known operating system that can be used in a variety of industries, and elements within the Windows Explorer hierarchical tree can be applications corresponding to a variety of industries. Gilkas is analogous art that also describes using a hierarchical tree in the Windows Explorer [Col 4 49-52]. It would have been obvious to an artisan at the time of the invention to combine the modified Russel with Gilkas, because Gilkas discloses that hierarchical trees like Windows Explorer can be used in an industrial automation system [Col 1 7-10], because industrial automation applications have specific software components that need to be organized [Col 1 44-46].

Claim 30 is similar in scope to claim 15, and is therefore rejected under similar rationale.

Response to Arguments

8. Applicant's arguments, with respect to the amendment filed on September 24, 2009, with respect to claims 13-16, 20-21, 23-24, 26-28, 29 have been fully considered, and are moot in view of the new grounds of rejection.

The applicant argues:

1. The amended claim language overcomes the cited art.

The examiner responds:

1. The examiner agrees. Though, the examiner will take the time to explain the examiner's position, because the degree of overcoming is slight.

The examiner's position is that Russell et al. ("Russell", US 7, 076, 784) discloses a transaction server that shows a hierarchical tree with a "components" node. This "components" node contains several components that further contain object interfaces. These object interfaces further contain various properties (e.g., roles of who can use the object interface).

The applicant claims "objects" but it would appear that an object interface would be analogous, since Russel discloses how the user can access the object through these interfaces. Further, it is not made apparent in the applicant's claim language about whether the applicant's claimed "objects" are "real objects" or as Russel discloses

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"abstract objects". "Real objects" are already created, while Russel's objects correspond to abstract software object code that could be used to create a "real object".

Further, the applicant discusses "co-equal" but does not claim what it means for object to be co-equal. If they are both under the same component, then is that co-equal? What if they are assigned the same role as Russel shows, is that co-equal? So, it appears that the applicant's effort to distinguish objects based on being co-equal would still read on Russel. In the hierarchical tree, objects will naturally be subordinate to their parent, be co-equal with their siblings.

The examiner sees the applicant overcoming the art, because the art does not disclose the second selection means of an icon positioned beneath the component. However, "beneath" is broad, and can be on the object nodes themselves, since they are inherently beneath the component. This well known in the art that clicking or double clicking a node in a hierarchical tree can be a selection means. So, this limitation only trivially overcomes the cited art.

Also, the limitation of "one logically co-equal object is graphically identified by a corresponding icon positioned adjacent to said at least one component along a common row on the display mechanism". The cited art does not appear to disclose this.

Overall, the cited fails to disclose the claimed icons alongside the component [see applicant's drawings figure 5]. So, the examiner is presenting new art, and pointing out the above concerns the examiner has.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erik V. Stitt whose telephone number is (571)270-5064. The examiner can normally be reached on M-R 9:00 AM - 7:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EVS

December 30, 2009

Peng Ke

/Peng Ke/

Primary Examiner, Art Unit 2174